

Remarks

In the Office Action, the Examiner rejects claims 1-10 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,643,524 to Ishii et al. ("Ishii").

By this Amendment, Applicant has amended the Title and claims 1-4 and 6-10 to improve form. New claims 11-13 have been added. No new matters has been added by way of the present Amendment.

For the following reasons, Applicant respectfully traverses the rejection of claims 1-10 under 35 U.S.C. § 102(e).

A proper rejection under 35 U.S.C. § 102 requires that a single reference teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. Applicant submits that Ishii does not disclose each of the features of amended claims 1-10.

Amended independent claim 1, for example, is directed to a base station modulator/demodulator in a mobile communication system for sending data to a higher rank station and receiving data from the higher rank station. The base station modulator/demodulator includes receive means for receiving the data from the higher rank station through a leased line in a leased line frame format and for terminating the data from the higher rank station that is addressed to a base station. The base station modulator/demodulator further includes first send means for sending the data received from the higher rank station through the leased line, when the data is addressed to another base station, to the another

base station. The base station modulator/demodulator further includes second send means for multiplexing data of a plurality of base stations and sending the multiplexed cells to the higher rank station through the leased line in the leased line frame format.

Ishii does not disclose or suggest each of these features. Ishii, for example, does not disclose or suggest the receive means of claim 1, which receives data from a higher rank station through a leased line in a leased line frame format. Ishii, in fact, never mentions the use of a leased line or a leased line frame format. Ishii, therefore, could not possibly disclose or suggest the receive means recited in claim 1.

In rejecting claim 1, the Examiner contends that Ishii discloses, at column 13, lines 54-60, "receive means for terminating, among ATM cells received from the higher rank station through a leased line." (Office Action, page 2). This section of Ishii discloses:

In this embodiment, a downlink communication signal transmitted from the mobile communication exchange 10 to each base station through the communication line 50 is received by the transmission unit 110 and distributed by a collection/distribution unit 120 to the channel units 130 through 13n to be subjected to speech conversion per channel or control of data communication.

(Ishii, column 13, lines 54-60). This section of Ishii completely fails to disclose or suggest receiving data from a higher rank station through a leased line in a leased line frame format, as recited in amended claim 1.

Claim 1 further recites second send means for multiplexing data of a plurality of base stations, and sending the multiplexed cells to the higher rank

station through the leased line in the leased line frame format. Applicant submits that Ishii also does not disclose or suggest this feature of claim 1. As mentioned, Ishii does not disclose the use of a leased line or the leased line frame format. Accordingly, Ishii could also not disclose the second send means of claim 1, which sends multiplexed data to a higher rank station through the leased line in the leased line frame format.

For at least these reasons, Applicant submits that Ishii does not disclose each of the features recited in amended claim 1, and accordingly, the rejection of amended claim 1 should be withdrawn. The rejections of claims 2-5 based on Ishii should also be withdrawn, at least by virtue of the dependency of these claims from claim 1.

Independent claim 6 also stands rejected under 35 U.S.C. § 102(e) based on Ishii.

Amended claim 6 is directed to a send/receive method in a mobile communication system for performing send/receive of data between a higher rank station and a base station. The method includes terminating data received at the base station from the higher rank station through a leased line in a leased line frame format, the data addressed to the base station. The method further includes sending data received at the base station from the higher rank station through the leased line to another base station when the data is addressed to the another base station. The method also includes multiplexing data of the base station and the another base station and sending the multiplexed data to the higher rank station through the leased line in the leased line frame format.

Ishii does not disclose or suggest the features recited in claim 6. Ishii, for example, does not disclose or suggest terminating data received at the base station from the higher rank station through a leased line in a leased line frame format, as recited in claim 6. As mentioned above, Ishii never mentions the use of a leased line or a leased line frame format. Ishii, therefore, could not possibly disclose or suggest terminating data received at the base station from the higher rank station through a leased line in a leased line frame format.

Claim 6 further recites "sending data received at the base station from the higher rank station through the leased line to another base station when the data is addressed to the another base station; and multiplexing data of the base station and the another base station and sending the multiplexed data to the higher rank station through the leased line in the leased line frame format." (emphasis added). Applicant submits that Ishii also does not disclose or suggest this feature of claim 6. Because Ishii does not disclose the use of a leased line or the leased line frame format, Ishii could not possibly disclose sending data and multiplexing data as recited in claim 6.

For at least these reasons, Applicant submits that Ishii does not disclose each of the features recited in amended claim 6, and accordingly, the rejection of amended claim 6 should be withdrawn. The rejections of claims 7-10 based on Ishii should also be withdrawn, at least by virtue of the dependency of these claims from claim 6.

New claim 11 is directed to a base station in a mobile communication system. The base station includes, for example, an interface section to receive

data from a higher rank station in the mobile communication system, the data being received over a leased line and being formatted in a leased line frame format; a first receive processor; and a second receive processor. Applicant submits that Ishii does not disclose or suggest each of the features recited in claim 11. At least by virtue of their dependency on claim 11, Applicant submits that Ishii also does not disclose or suggest each of the features recited in dependent claims 12 and 13.

#### CONCLUSION

As Applicant's remarks with respect to the Examiner's rejections overcome the rejections, Applicant's silence as to certain assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, etc.) is not a concession by Applicant that such assertions are accurate or such requirements have been met, and Applicant reserves the right to dispute these assertions/requirements in the future.

In view of the foregoing amendments and remarks, Applicant respectfully requests the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 CFR 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

HARRITY SNYDER, L.L.P.

By: /Brian E. Ledell/  
Brian E. Ledell  
Reg. No. 42,784

11350 Random Hills Road  
Suite 600  
Fairfax, Virginia 22030  
(571) 432-0800  
Customer Number: 44987

Date: June 9, 2006